

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

DMARC ADVISOR BV,

Petitioner,

v.

BLANK ROME LLP,

Respondent.

No. 23-mc-_____

MOTION TO PROVISIONALLY FILE PETITIONER’S MOTION TO COMPEL
UNDER SEAL

Petitioner DMARC Advisor BV (formerly known as dmarcian Europe BV), by and through its undersigned counsel, respectfully moves pursuant to Rule 5.1.3 of the Local Rules of Civil Practice and Procedure to provisionally file under seal Petitioner’s Motion to Compel Compliance with Subpoena, the Brief in Support, and the accompanying Declaration of Samuel B. Hartzell and Exhibits thereto. These documents rely on materials have been designated CONFIDENTIAL by dmarcian, Inc. (“dInc”) in the underlying action, *dmarcian, Inc. v. DMARC Advisor BV*, No 1:21-cv-00067-MR (W.D.N.C.). Out of an abundance of caution, therefore, Petitioner seeks to file these documents under seal. In support of this Motion, Petitioner states the following:

1. This Motion is being brought before this Court in connection with a Protective Order (“Protective Order”) governing the exchange and disclosure of confidential material and documents under Rule 26(c) entered by the Honorable Martin Reidinger on June 12, 2023 in the underlying action.

2. During discovery in the underlying action, dInc produced numerous documents and materials which it designated as CONFIDENTIAL. The materials Petitioner seeks to file under seal include and rely on materials that dInc marked CONFIDENTIAL pursuant to the Protective Order. Respondent has also requested that Petitioner file these materials under seal. For these reasons, and out of an abundance of caution, Petitioner moves to provisionally seal its Motion to Compel, its Brief in Support, and the accompanying Declaration of Samuel B. Hartzell and Exhibits thereto.

3. Petitioner takes no position on the appropriateness of dInc's confidentiality designations and does not concede, by this filing, that its Motion to Compel and documents in support thereof must be maintained under seal indefinitely.

WHEREFORE, Petitioner requests that the Court provisionally seal Petitioner's Motion to Compel Compliance with Subpoena, the Brief in Support, and the accompanying Declaration of Samuel B. Hartzell and Exhibits thereto.

Dated: November 7, 2023 Respectfully submitted,

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